

June 21, 2013

REGULAR MEETING MINUTES
ILLINOIS CIVIL SERVICE COMMISSION
June 21, 2013

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 10:30 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

Garrett P. FitzGerald, Chairman; Anita M. Cummings and Susan Moylan Krey, Commissioners; Daniel Stralka, Executive Director; Andrew Barris, Assistant Executive Director; Mark Magill (by telephone), John Logsdon (by telephone), Kevin Connor, and Will Walker, Illinois Department of Central Management Services; Susan Gold and Matt Glavin, Illinois Department of Financial and Professional Regulation; Era Laudermilk and Todd Creviston, Illinois Department of Juvenile Justice; Matthew Bilinsky (by telephone), Illinois Department of Revenue; and Lisa Prose (by telephone), Shared Services Center.

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD MAY 17, 2013

IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER KREY, AND THE MOTION ADOPTED 3-0 TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD MAY 17, 2013.

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

At this time, in accordance with the Open Meetings Act and the Rules of the Civil Service Commission, Executive Director Daniel Stralka offered an opportunity for any person to address members of the Commission. Hearing no response, the meeting proceeded to the next agenda item.

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions from Illinois Dept. of Central Management Services

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	142.....	16
Agriculture.....	326.....	16
Arts Council.....	18.....	2
Capitol Development Board.....	45.....	0
Central Management Services.....	1,488.....	114
Children and Family Services.....	2,731.....	50
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	375.....	69
Commerce Commission.....	75.....	0
Corrections.....	11,168.....	103
Criminal Justice Authority.....	56.....	5
Deaf and Hard of Hearing Comm.....	6.....	1
Developmental Disabilities Council.....	8.....	1
Emergency Management Agency.....	86.....	5
Employment Security.....	1,479.....	31
Environmental Protection Agency.....	806.....	16
Financial & Professional Regulation.....	431.....	43
Gaming Board.....	142.....	6
Guardianship and Advocacy.....	101.....	7
Healthcare and Family Services.....	2,107.....	25
Historic Preservation Agency.....	160.....	14
Human Rights Commission.....	13.....	2
Human Rights Department.....	137.....	9
Human Services.....	11,375.....	77
Illinois Sentencing Policy Advisory Council.....	2.....	2
Illinois Torture Inquiry Relief Commission.....	2.....	1
Insurance.....	232.....	15
Investment Board.....	2.....	2
Juvenile Justice.....	995.....	24
Labor.....	86.....	11
Labor Relations Board Educational.....	10.....	2
Labor Relations Board State.....	17.....	2
Law Enforcement Training & Standards Bd.....	16.....	2
Lottery.....	141.....	7
Military Affairs.....	118.....	3
Natural Resources.....	1,073.....	29
Pollution Control Board.....	19.....	2
Prisoner Review Board.....	16.....	0
Property Tax Appeal Board.....	29.....	1
Public Health.....	1,076.....	40
Racing Board.....	3.....	1
Revenue.....	1,741.....	51
State Fire Marshal.....	134.....	12
State Police.....	1,095.....	7
State Police Merit Board.....	5.....	1
State Retirement Systems.....	99.....	2
Transportation.....	2,239.....	0
Veterans' Affairs.....	1,309.....	9
Workers' Compensation Commission.....	129.....	8
TOTALS.....	43,867.....	846

B. Governing Rule – Section 1.142 Jurisdiction B Exemptions

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
 - 1) The amount and scope of principal policy making authority;
 - 2) The amount and scope of principal policy administering authority;
 - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
 - 4) The capability to bind the agency, board or commission to a course of action;
 - 5) The nature of the program for which the position has principal policy responsibility;
 - 6) The placement of the position on the organizational chart of the agency, board or commission;
 - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

* * *

C. Requests for 4d(3) Exemption

Executive Director Daniel Stralka reported:

- As to Item C, this request is for the Deputy General Counsel for the Business Enterprise Program (BEP) at the Department of Central Management Services (CMS), a position that reports to the General Counsel who reports to the Director. This position will work closely with the Business Enterprise Council, an entity created by the Business Enterprise for Minorities, Females, and Persons with Disabilities Act back in 1994. The Deputy Director for BEP, already exempt, sits on the Council. The purpose of the Council is to advance economic development opportunities for these disadvantaged groups. This position will serve as a legal advisor for the BEP and the Council, but that standing alone would be insufficient to support exemption as it is covered by a Section 4d(5) partial exemption. There must be some independent basis for a principal policy exemption. The position will also be representing BEP and the Council on all legal issues which may be sufficient, but there already exists an exempt Deputy General Counsel for strategic sourcing and there may be some overlap there. The position will also be conducting outreach to these groups for this purpose and participate in policy level discussions with agency leadership.

The position description refers to veterans outreach for this same purpose, but BEP already has an exempt position for that program. Approval will be recommended only if the Commission believes the BEP is of such a scope to warrant a third exempt position, and the General Counsel's office a ninth exempt position. In any event, the Business Enterprise for Minorities, Females, and Persons with Disabilities Act sunsets on June 30, 2016 so the exemption should be limited to that period of time.

Kevin Connor, General Counsel, Central Management Services, wanted to highlight the importance of the position and its independent decision-making authority. Commissioner Krey commented that the position appeared to be more of an advisor than an exempt position. Kevin Connor replied that it has independent authority to bind the agency in rule making. He noted how it is set forth in ¶4 of the position description. Commissioner Cummings inquired of Commissioner Krey if she thought that a function that made up 15% of the position's responsibilities was sufficient to support a principal policy exemption. Commissioner Krey indicated it would not and Commissioner Cummings agreed. It was the consensus of the Commissioners that this request would not qualify for exemption as presently submitted. Chairman FitzGerald inquired if the agency was willing to review the job description and consider resubmitting it the following month. Kevin Connor indicated he was.

- As to Item D, this request is for a Legislative Liaison at the Environmental Protection Agency, a position that reports to the Chief legislative liaison who reports to the Director. It was previously exempt, but had its exemption rescinded due to extended vacancy. It was continued from last month's meeting to allow the agency to confirm its collective bargaining status. The agency advised that it was excluded as of May 22. For these reasons, Staff recommended approval of this request.

- As to Item E, the agency has requested that this request be withdrawn.
- As to Item F, this request is for a Legislative Liaison at the Department of Public Health, a position that reports to the Deputy Director who reports to the Director. This was also continued from last month due to concerns over whether it was simply performing clerical work or true liaison responsibilities. The agency submitted a clarified position description which confirmed the latter so Staff recommended approval of this request since it is presently excluded from a collective bargaining unit and so long as the Commission is comfortable with the agency having six exempt legislative liaisons. Commissioner Krey inquired how many of these were presently filled. Executive Director Stralka responded that his best recall was four of the six were occupied.
- As to Item G, this request is for the Vehicle Ownership Administrator at CMS, a position that reports to the Deputy Director of Agency Services who reports to the Assistant Director who reports to the Director. This position is responsible for administering the vehicle purchase, ownership, use and disposal programs. There already exists an exempt position responsible for administering the State garages and fleet operations, and CMS has an exempt position in Strategic Sourcing devoted to transportation which has principal policy responsibilities in the vehicle purchasing area. There is a State Vehicle Use Act which imposes on all agencies the obligation to appoint a Vehicle Use Officer to monitor vehicle use. CMS is the central repository for these policies, and it appears that this position will have significant principal policy authority to oversee these agency policies – as well as function as the CMS Vehicle Use Officer – and ensure they are in compliance with all laws, rules and related Executive Orders. This Act was also recently amended to impose additional responsibilities in the area of GPS tracking of State vehicles and cost analysis related to the purchase of any new vehicles. It is unclear if responsibility for this latter requirement will be with this position or the Strategic Sourcing position or elsewhere. If with this position, then these additional responsibilities are probably sufficient to warrant a final exempt position in this program area.

Will Walker, Deputy Director, Central Management Services, added that the Strategic Sourcing position has procurement in setting up contracts while this position establishes policies for acquiring cars in a new way, acquiring cars by the hundreds and thousands. An example is acquiring vehicles by auction as opposed to purchasing brand new. Commissioner Krey inquired whether the State schedules its vehicle purchases annually. Will Walker replied that it purchases its vehicles from federal auctions of surplus property. CMS bids on these vehicles and is able to acquire low mileage vehicles for half the price of purchasing new. Commissioner Cummings asked about the size of the State's vehicle fleet. Will Walker replied that there are 9,000 vehicles in agencies under the Governor's Office with a total of 15,000 vehicles statewide. These are not just cars but trucks, busses and other specialty vehicles used by a variety of agencies such as Human Services and the State Police. Chairman FitzGerald inquired whether this position was under consideration for inclusion in a collective bargaining unit. Will Walker indicated it was not.

- As to Item H, this request is for the Federal and Inter-State Liaison at the Department of Financial and Professional Regulation, a position that reports to the Secretary. This agency regulates a multitude of professions and industries, the most important of which already have exempt program managers. As part of that regulatory administration, the agency interacts with a number of federal and state agencies as well as other quasi-governmental bodies and professional associations. It appears that this position will be primarily responsible for monitoring these relationships and ensuring that the agency complies with mandates imposed upon it by them. The position will have significant independent authority to bind the agency to a course of action based on these relationships. For that reason, Staff recommended approval of this request. Commissioner Cummings inquired whether this position requires a legal background. Matt Glavin, Chief of Staff, Department of Financial and Professional Regulation, indicated it does not.
- As to Item I, the agency has requested that this request be withdrawn.
- As to Items J1 and J2, these requests are for Assistant Superintendent positions at Illinois Youth Centers in Harrisburg and Chicago for the Department of Juvenile Justice, positions that report to the facility Superintendents who report to the Director. These were previously exempt, but had their exemptions rescinded last month due to extended vacancy – both over six years. Staff recommended approval of these requests provided the agency is prepared to fill the positions. Commissioner Cummings inquired why they were vacant so long. Todd Creviston, Labor Relations, Juvenile Justice, replied that they had been filled by temporary appointment. Era Lauder milk, Chief of Staff, added that the agency was precluded by the collective bargaining agreement from continuing the temporary appointment so the positions have been added to its critical fill list and submitted to the Governor’s Office for approval to hire. Executive Director Stralka asked if the agency will have these filled by November 2013. Era Lauder milk replied that it hopes to and has secured most required epar approvals.
- As to Items K1 and K2, these requests are for two Collection Programs Directors in the Department of Revenue, positions that report to the Director. They were first granted exemption in July 2011 but were limited to a term of two years due to their uncertain collective bargaining unit status. That uncertainty remains so Staff recommended approval of these requests but for no more than another two year term. Matthew Bilinsky, Labor Relations, Department of Revenue, added that it is anticipated that these will end up being excluded as a result of the “management bill” that recently passed. Executive Director Stralka surmised that resolution should then occur within one year and Matthew Bilinsky agreed with that.
- As to Item L, the agency has requested that this request be withdrawn.

IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER KREY, AND THE MOTION ADOPTED 3-0 TO ACCEPT THE WITHDRAWAL OF THE REQUESTS FOR 4D(3) EXEMPTION FOR THE FOLLOWING POSITIONS:

- E: Assistant Director of the Division of Family & Community Services (DHS)**
- I: Associate Director, Office of Family & Community Resource Centers, Workforce Development and Policy (DHS)**
- L: Associate Director, Illinois Liquor Control Commission (DOR)**

IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER CUMMINGS, AND THE MOTION ADOPTED 3-0 TO DENY THE REQUEST FOR 4D(3) EXEMPTION FOR THE FOLLOWING POSITION:

- C: Deputy General Counsel, Business Enterprise Program (CMS)**

IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER KREY, AND THE MOTION ADOPTED 3-0 TO GRANT THE REQUEST FOR 4D(3) EXEMPTION FOR THE FOLLOWING POSITIONS FOR ONE YEAR:

- K1: Springfield Collection Enforcement Division Director (DOR)**
- K2: Field Compliance Director (DOR)**

IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER CUMMINGS, AND THE MOTION ADOPTED 3-0 TO GRANT THE REQUEST FOR 4D(3) EXEMPTION FOR THE FOLLOWING POSITIONS:¹

- D: Assistant Legislative Liaison (EPA)**
- F: Liaison (DPH)**
- G: Vehicle Ownership Administrator (CMS)**
- H: Federal and Inter-State Liaison (FPR)**
- J1: Assistant Superintendent of Programs, IYC-Harrisburg (DJJ)**
- J2: Assistant Superintendent of Operations, IYC-Chicago (DJJ)**

¹ Wording corrected to reflect approval of motion as set forth below.

The following 4d(3) exemption requests were withdrawn on June 21, 2013:

E. Illinois Department of Human Services

Position Number	40070-10-90-010-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Family & Community Services
Functional Title	Assistant Director of Family & Community Services
Incumbent	Vacant
Supervisor	Director of Family & Community Services who reports to the Assistant Secretary who in turn reports to the Secretary
Location	Cook County

I. Illinois Department of Human Services

Position Number	40070-10-97-555-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Family & Community Services
Functional Title	Associate Director, Family & Community Resource Centers, Workforce Development and Policy
Incumbent	Vacant
Supervisor	Assistant Director of Family & Community Services who reports to the Director of Family & Community Services, who reports to the Assistant Secretary, who in turn reports to the Secretary
Location	Cook County

L. Illinois Department of Revenue

Position Number	40070-25-71-100-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Liquor Control Commission
Functional Title	Associate Director
Incumbent	Vacant
Supervisor	Executive Director, Liquor Control Commission, who reports to the Director of the Department of Revenue
Location	Sangamon County

The following 4d(3) exemption request was denied on June 21, 2013:

C. Illinois Department of Central Management Services

Position Number	40070-37-70-300-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Office of Legal Services
Functional Title	Deputy General Counsel, Business Enterprise Program
Incumbent	Vacant
Supervisor	General Counsel for Legal Services who reports to the Director
Location	Sangamon County

The following 4d(3) exemption requests were granted on June 21, 2013 for one year:

K1. Illinois Department of Revenue

Position Number	40070-25-48-200-00-01 ^B
Position Title	Senior Public Service Administrator
Bureau/Division	Collections/Springfield Collection Enforcement
Functional Title	Director, Springfield Collection Enforcement Division
Incumbent	Steven Hayes
Supervisor	Collections Program Director who reports to the Director
Location	Sangamon County

K2. Illinois Department of Revenue

Position Number	40070-25-48-500-00-01 ^A
Position Title	Senior Public Service Administrator
Bureau/Division	Collections/Field Compliance Division
Functional Title	Field Compliance Director
Incumbent	William Smith
Supervisor	Collections Program Director who reports to the Director
Location	Winnebago County

^A Exemptions for these positions were granted for a period of two years on July 15, 2011 and granted for a period of one year on June 21, 2013.

The following 4d(3) exemption requests were granted on June 21, 2013:

D. Illinois Environmental Protection Agency

Position Number	37015-46-00-000-00-01 ^C
Position Title	Public Service Administrator
Bureau/Division	Director's Office
Functional Title	Assistant Legislative Liaison
Incumbent	Vacant
Supervisor	Chief Legislative Liaison who reports to the Director
Location	Cook County

F. Illinois Department of Public Health

Position Number	13852-20-03-030-20-01
Position Title	Executive I
Bureau/Division	Government Affairs
Functional Title	Liaison
Incumbent	Vacant
Supervisor	Assistant Legislative Liaison who reports to the Deputy Director who reports to the Director
Location	Sangamon County

G. Illinois Department of Central Management Services

Position Number	40070-37-01-010-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Bureau of Agency Services
Functional Title	Vehicle Ownership Administrator
Incumbent	Vacant
Supervisor	Deputy Director of Agency Services who reports to the Assistant Director, who in turn reports to the Director
Location	Cook County

H. Illinois Dept. of Financial & Professional Regulation

Position Number	40070-13-00-400-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Secretary's Office
Functional Title	Federal and Inter-State Liaison
Incumbent	Vacant
Supervisor	Secretary
Location	Cook County

^C Exemption was rescinded on November 16, 2012.

J1. Illinois Department of Juvenile Justice

Position Number	40070-27-20-200-00-01 ^D
Position Title	Senior Public Service Administrator
Bureau/Division	Illinois Youth Center-Harrisburg
Functional Title	Assistant Superintendent of Programs
Incumbent	Vacant
Supervisor	Superintendent who reports to the Deputy Director of Operations, who reports to the Director
Location	Saline County

J2. Illinois Department of Juvenile Justice

Position Number	40070-27-17-300-00-01 ^C
Position Title	Senior Public Service Administrator
Bureau/Division	Illinois Youth Center-Chicago
Functional Title	Assistant Superintendent of Operations
Incumbent	Vacant
Supervisor	Superintendent who reports to the Deputy Director of Operations, who reports to the Director
Location	Cook County

VI. CLASS SPECIFICATIONS

The following class titles were submitted for abolishment, creation, and revision by the Director of the Illinois Department of Central Management Services (CMS):

- A. Fire Certification Specialist (abolish)
 - Fire Certification Specialist I (create)
 - Fire Certification Specialist II (create)
 - Fire Certification Specialist Supervisor (create)
- B. Fire Protection Engineer (create)
- C. Laboratory Research Scientist (revise)
- D. Rehabilitation Counselor Trainee (revise)
 - Rehabilitation Counselor (revise)
 - Rehabilitation Counselor Senior (revise)

^D Both exemptions were rescinded on May 17, 2013.

Staff Analysis: Based upon Central Management Services' approval of the class specifications, agreements through the collective bargaining process, and the submission of subsequent documentation regarding the class specifications by CMS to the Commission, Staff does not disapprove of the abolishment, revision, and/or creation of the Class Specifications designated as Items A-D on the Agenda.

IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER CUMMINGS, AND THE MOTION ADOPTED 3-0 TO APPROVE THE ABOLISHMENT, CREATION, AND REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE JULY 1, 2013:

- A. Fire Certification Specialist (abolish)**
 - Fire Certification Specialist I (create)**
 - Fire Certification Specialist II (create)**
 - Fire Certification Specialist Supervisor (create)**

- B. Fire Protection Engineer (create)**

- C. Laboratory Research Scientist (revise)**

- D. Rehabilitation Counselor Trainee (revise)**
 - Rehabilitation Counselor (revise)**
 - Rehabilitation Counselor Senior (revise)**

IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER CUMMINGS, AND THE MOTION ADOPTED 3-0 TO DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY.

VII. MOTION TO CLOSE A PORTION OF THE MEETING

IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER KREY, AND BY ROLL CALL VOTE THE MOTION ADOPTED 3-0 TO CLOSE A PORTION OF THE MEETING PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), 2(c)(5), AND 2(c)(11) OF THE OPEN MEETINGS ACT.

FITZGERALD	YES	CUMMINGS	YES
KREY	YES		

VIII. RECONVENE THE OPEN MEETING

Upon due and proper notice the regular open meeting of the Illinois Civil Service Commission was reconvened at 160 North LaSalle Street, Suite S-901, Chicago, Illinois at 11:05 a.m.

PRESENT

Chairman Garrett P. FitzGerald; Anita M. Cummings and Susan Moylan Krey, Commissioners; Daniel Stralka, Executive Director; and Andrew Barris, Assistant Executive Director.

IX. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Executive Director Dan Stralka advised the Commissioners that he contacted the Department of Healthcare and Family Services about their increase and was advised that it was due to the need to extend some 75-day contracts. The number should be down next month.

Agency	4/30/13	5/31/13	5/31/12
Aging	0	1	1
Agriculture	0	1	0
Arts Council	1	1	1
Central Management Services	0	2	0
Children and Family Services	4	11	4
Corrections	0	0	0
Healthcare and Family Services	7	22	3
Human Rights	0	0	1
Human Services	0	1	1
Insurance	0	1	0
Natural Resources	1	0	3
Property Tax Appeal Board	2	3	0
Public Health	1	1	0
Revenue	1	5	0
State Fire Marshal	0	0	0
State Police Merit Board	1	1	0
State Retirement Systems	0	0	0
Transportation	2	0	0
Veterans' Affairs	2	4	0
Totals	22	54	14

X. INTERLOCUTORY APPEALS

DA-28-13

Employee	Lawrence Beckom	Appeal Date	02/04/13
Agency	Transportation	Decision Date	06/06/13
Type	Discharge	ALJ	Andrew Barris
Issue(s)	Motion to Dismiss for no jurisdiction (not certified employee)	Proposal for Decision	Grant the Motion to Dismiss subject to the approval of the Commission.

IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER CUMMINGS, AND BY ROLL CALL VOTE OF 3-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE ADMINISTRATIVE LAW JUDGE’S PROPOSAL FOR DECISION TO DISMISS THE APPEAL FOR NO JURISDICTION. THE COMMISSION FINDS THAT RESPONDENT WAS NOT A CERTIFIED EMPLOYEE UNDER JURISDICTION B AT THE TIME OF HIS DISCHARGE AND THEREFORE, THE COMMISSION HAS NO JURISDICTION TO HEAR HIS DISCHARGE APPEAL.

**FITZGERALD YES CUMMINGS YES
KREY YES**

DA-34-13

Employee	Marshall Chandler	Appeal Date	3/05/13
Agency	Human Services	Decision Date	5/31/13
Type	Discharge	ALJ	Daniel Stralka
Issue(s)	Motion to Dismiss for simultaneously appealing the discharge by grievance and Civil Service Commission appeal	Proposal for Decision	Grant the Motion to Dismiss subject to approval of the Commission.

IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER KREY, AND BY ROLL CALL VOTE OF 3-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE ADMINISTRATIVE LAW JUDGE’S PROPOSAL FOR DECISION TO DISMISS THE APPEAL. THE COMMISSION FINDS THAT RESPONDENT WAS SIMULTANEOUSLY APPEALING HIS DISCHARGE BY GRIEVANCE AND CIVIL SERVICE COMMISSION APPEAL. THE COMMISSION FURTHER FINDS THAT AT A MAY 29, 2013 TELEPHONE STATUS CONFERENCE THE RESPONDENT INDICATED HE WAS ELECTING TO PROCEED BY UNION GRIEVANCE AND THAT HE WOULD FILE A WITHDRAWAL OF HIS CIVIL SERVICE COMMISSION APPEAL THE FOLLOWING DAY. NO FURTHER COMMUNICATION HAS BEEN RECEIVED FROM THE RESPONDENT.

**FITZGERALD YES CUMMINGS YES
KREY YES**

June 21, 2013

XI. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

DA-42-13

Employee	Venus Covington	Appeal Date	5/15/13
Agency	Human Services	Decision Date	5/29/13
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of the Commission; withdrawn to pursue grievance.
ALJ	Andrew Barris		

IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER KREY, AND BY ROLL CALL VOTE OF 3-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE DISMISSAL OF THE APPEAL FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.

FITZGERALD	YES	CUMMINGS	YES
KREY	YES		

XII. STAFF REPORT

Executive Director Daniel Stralka reported on the status of the relocation of the Commission's Springfield office. The move is scheduled to take place on Wednesday, June 26. In conjunction with the move, steps are being taken to archive or destroy several boxes of older records maintained in the Commission's storage room since the new space will be 500-600 square feet smaller. Simultaneously, Staff is taking this opportunity to replace its older computers and some printers which are over 18 years old and are incompatible with the new computers. A general discussion followed on the upcoming relocation in which all Commissioners participated.

XIII. REVIEW OF CLOSED MEETING MINUTES PURSUANT TO OPEN MEETINGS ACT

Assistant Executive Director Barris reported that after review of the Closed Meeting Minutes, the need for confidentiality still exists as to all those Minutes.

IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER KREY, AND THE MOTION ADOPTED 3-0 THAT AFTER REVIEW OF CLOSED MEETING MINUTES PURSUANT TO THE OPEN MEETINGS ACT, THE NEED FOR CONFIDENTIALITY STILL EXISTS AS TO ALL THOSE MINUTES.

June 21, 2013

XIV. AUTHORIZATION FOR EXECUTIVE DIRECTOR TO EXECUTE LEASE AND RELATED DOCUMENTS FOR SPRINGFIELD OFFICE SPACE

Executive Director Stralka advised the Commissioners of the process by which he executed the lease for the Commission's new Springfield office space after consultation with the Chairman.

IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER CUMMINGS, AND BY VOTE OF 3-0 THE MOTION ADOPTED TO RATIFY THE EXECUTIVE DIRECTOR'S EXECUTION OF THE LEASE AND RELATED DOCUMENTS FOR THE SPRINGFIELD OFFICE SPACE.

XV. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular open meeting to be held Friday, July 19, 2013 at 10:30 a.m. in the Commission's Chicago office.

XVI. MOTION TO ADJOURN

IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER KREY, AND THE MOTION ADOPTED 3-0 TO ADJOURN THE MEETING AT 11:10 A.M.